

## AGREEMENT

THIS AGREEMENT, entered into this 16th day of November, A.D. 2004, by and between **THE TOWNSHIP OF CHELTENHAM**, (hereinafter referred to as "Cheltenham"), a home rule charter community, **THE SCHOOL DISTRICT OF CHELTENHAM TOWNSHIP**, (hereinafter referred to as "School District"), and the **WEST OAK LANE CHURCH OF GOD**, (hereinafter referred to as "Church") as follows:

WHEREAS, **Church** has entered into an Agreement to purchase a parcel of ground on **Ashbourne Road between the new Elkins Park Post Office and the Lynnewood Gardens Swim Club** containing approximately eight and one-half (8 1/2) acres of land; and

WHEREAS, **Church** intends to build a large church sanctuary and community center facility that could accommodate approximately one thousand three hundred (1,300) people; and

WHEREAS, **Cheltenham** is responsible for the safety and welfare of the citizens of **Cheltenham** as well as being responsible for the maintenance of the roads surrounding the location of the **Church** property; and

WHEREAS, **School District** has the obligation of providing an education for the residents of **Cheltenham Township**; and

WHEREAS, **Church** has tentative plans that could require various Zoning Variances and Special Exceptions with said plans to be filed in calendar year 2004, or, in the alternative, a Zoning Ordinance Amendment; and

WHEREAS, **Church**, intending to be a good neighbor, has agreed to host a community meeting with immediate neighbors to discuss the various Zoning Variances and Special Exceptions; and

WHEREAS, **Cheltenham and the School District** have reviewed the tentative plans with the intent of making sure that they are providing for the best interest of their residents.

NOW, THEREFORE, intending to be legally bound, the parties hereby agree as follows:

1. Church shall submit to **Cheltenham Township Zoning Hearing Board** requests for Variances and Special Exceptions, or, in the alternative, a Zoning Ordinance Amendment draft, that would permit them to construct a large church sanctuary and community center facility, accommodating approximately one thousand three hundred (1,300) people on a parcel of ground located on **Ashbourne Road between the new Elkins Park Post Office and the Lynnewood Gardens Swim Club.**
2. Church will host a community meeting with immediate neighbors and other interested individuals in calendar year 2004.
3. Cheltenham will not take any action with regard to recommendations to the Zoning Hearing Board provided that the application complies with the tentative plans previously submitted to **Cheltenham** and that this **Agreement** is executed by **Church.**
4. If a Zoning Ordinance Amendment is submitted which is acceptable to the **Township Solicitor and Engineer** which would provide for the plans previously submitted to the **Township**, the **Amendment** will be reviewed by the **Cheltenham Township Board of Commissioners** for their consideration.
5. Church acknowledges that **Cheltenham** has cooperated and will continue to cooperate by this **Agreement** with **Church** so that their proposal will be heard before the **Zoning Hearing Board** or by the **Board of Commissioners** for a **Zoning Ordinance Amendment**, and, if the zoning relief for the construction as proposed, or the Amendment relief, is granted, will result in obligations of the Taxing Communities to provide service to **Church** to ensure the **Township's** quality of education, safety, access, police and fire protection, and for and in consideration thereof, **Church** agrees that **Church** shall be subject to real estate taxes

once the facility is constructed substantially in accordance with the tentative plans and that once the facility is constructed, Church may appeal the assessment as it relates to the assessed valuation, but will not seek an exemption from real estate taxes. Township agrees that the assessment, once it is determined, will not be increased unless Church makes additions and/or improvements to its buildings once constructed.

6. Since the benefits to Church are ongoing, Cheltenham will continue to provide services to Church and Church will not seek to secure an exemption from real estate taxes for as long as it constructs pursuant to and operates as proposed in its tentative plans.

7. Church agrees that their execution of this Agreement binds their successors in title and that this Agreement will be recorded in Montgomery County, Pennsylvania as notice to any interested parties.

EXECUTED this 16th day of November, A.D. 2004.

ATTEST:

WEST OAK LANE CHURCH OF GOD

Stacy Lynn Sheppard  
Secretary

By: Theodore Harris Chairman

TOWNSHIP OF CHELTENHAM

David G. Kraynik  
DAVID G. KRAYNIK, SECRETARY

By: Harvey Portner  
HARVEY PORTNER, PRESIDENT  
BOARD OF COMMISSIONERS

SCHOOL DISTRICT OF  
CHELTENHAM TOWNSHIP

[Signature]

By: [Signature]